

REMARKS

In the September 28, 2004 Office Action, the Examiner noted that claims 1-26 were pending in the application, but claims 1-13 which had been cancelled, were withdrawn from consideration; required a new Oath or Declaration; objected to the drawings and claims; rejected claims 14-26 under 35 U.S.C. § 112; rejected claims 14 and 15 under 35 U.S.C. § 102(e); rejected claim 16 under 35 U.S.C. § 103(a); and indicated claims 17-26 would be allowable if rewritten to overcome the rejection under the second paragraph of 35 U.S.C. § 112 and to include the limitations of the claims from which they depend. In rejecting the claims, U.S. Patent 6,272,128 B1 to Pierson Jr. (Reference A) was cited. Claims 14-26 remain in the case. The Examiner's objections and rejections are traversed below.

New Declaration

In item 2 on page 2 of the Office Action, the Examiner required a new Oath or Declaration. An executed Declaration is submitted herewith.

Objection to Drawings

In item 3 on page 2 of the Office Action, the Examiner required adding --Prior Art-- to Fig. 1 and labeling in all of Figs. 1-4. However, the only other labeling described in the Office Action was the addition of --data channels-- corresponding to "elements 'B1' and 'B2'" in Fig. 1. The term --data channels-- has been added to Fig. 1 and other words have been added to the drawings. If an insufficient number of words have been added to the drawings, the Examiner is respectfully requested to contact the undersigned by telephone to describe what additional legends should be added to the drawings, or to list all required labels in the next Office Action.

Objection to Claims

In item 4 on page 3 of the Office Action, the Examiner objected to claims 19, 20, 22, 25 and 26 due to the use of abbreviations and "at least one of" in combination with "or". The claims have been amended as required by the Examiner. Therefore, withdrawal of the objection is respectfully requested.

Rejections under 35 U.S.C. § 112, Second Paragraph

In item 5 on pages 3-4 of the Office Action, the Examiner rejected claims 14-26 under the second paragraph of 35 U.S.C. § 112, due to the language used in claim 14. Claim 14 has been amended as discussed during the Examiner Interview on December 21, 2004. Therefore,

withdrawal of the rejection under the second paragraph of 35 U.S.C. § 112 is respectfully requested.

Prior Art Rejections

In item 7 on pages 4-6 of the Office Action, claims 14 and 15 were rejected under 35 U.S.C. § 102(e) as anticipated by Pierson, Jr. and in item 8 on pages 6 and 7 of the Office Action, claim 16 was rejected under 35 U.S.C. § 103(a) as unpatentable over Pierson, Jr. In item 7 of the Office Action, it was asserted that the hubs recited in claim 14 correspond to "ATM switches 109, 115 and 120" (Office Action, page 4, last line). The reason why this is an incorrect interpretation of the correspondence between the communication network recited in claim 14 and the network disclosed by Pierson, Jr. was explained at the December 21, 2004 Examiner Interview. This explanation is provided again below.

As discussed during the December 21, 2004 Examiner Interview, and as described on pages 1-5 and page 15, lines 3-9 of the Substitute Specification, since an asynchronous transfer mode (ATM) network does not use a "time-slot-oriented data format" (claim 14, line 5), data, such as voice signals, from communication components that use a time-slot-oriented data format, e.g., IOM-2, must be converted to the format used by the ATM network. In the exemplary system illustrated in Fig. 2 of the application, this conversion occurs in interface units AE, as described starting in the last paragraph on page 10 of the Substitute Specification.

In the Detailed Description of the Preferred Embodiments Pierson, Jr. is described as directed to "emulating a T1 link over an ATM network" (column 6, lines 29-30). It is well known that T1 lines are time-slot-oriented (see, e.g., column 7, lines 23-27) while an ATM network is not inherently time-slot-oriented. In the network disclosed by Pierson, Jr., "T1 frames are loaded into an ATM cell at a DTE₁ ... in a manner that the T1 frames do not need frame synchronization" (column 6, lines 30-34). Thus, the conversion from a "time-slot-oriented data format" to ATM format occurs in the DTEs of the network disclosed by Pierson, Jr. and therefore, the DTEs, not the ATM switches, most closely correspond to the "hubs connecting communication terminals ... using a time-slot-oriented data format" (claim 14, lines 2-5).

Claim 14 has been amended to avoid reading the hubs recited in the preamble on the ATM switches in the network disclosed by Pierson, Jr. If the Examiner believes that amended claim 14 can be interpreted so that the hubs read on the switches in Pierson, Jr., the Examiner is respectfully requested to contact the undersigned by telephone to arrange another Examiner Interview prior to the next Office Action, to discuss what further amendments can be made to prevent such an interpretation.

As described in the application and Pierson, Jr., the switches in an ATM network have addresses, but components outside the network, such as the DTEs 105, 110 in Fig. 1 of Pierson, Jr. and the hubs connected to communication terminals recited in claim 14, do not have their own address in a conventional ATM network. Conventionally, such components are addressed by addressing the switch within the ATM network to which they are connected. Claim 14 recites "associating each of the hubs with an unambiguous address **not assigned to a switch** in the switching system" (claim 14, lines 9-10, emphasis added). Nothing has been cited or found in Pierson, Jr. teaching or suggesting this operation. Therefore, it is submitted that claim 14 and claims 15 and 16 which depend therefrom patentably distinguish over Pierson, Jr.

Allowable Claims

In item 10 on page 7 of the Office Action, claims 17-26 were indicated as allowable if rewritten to overcome the rejections under the second paragraph of 35 U.S.C. § 112 and to include all limitations of the base claim and any intervening claims. Since claims 17-26 depend from claim 16, it is submitted that claims 17-26 are now in condition for allowance for the reasons discussed above with respect to claims 14-16.

Summary

It is submitted that Pierson, Jr. does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 14-26 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS:

In the Office Action at item 3, the Examiner objected to the drawings. To overcome these objections, replacement figures are submitted herewith. In FIG. 1, --PRIOR ART-- has been added. In FIGS. 1-4 English legends corresponding to the description in the specification have been added. Approval of these changes to the Drawings is respectfully requested.